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Brits in Spain hope for dual citizenship legislation in 2019

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8 January 2019
14:56 CET+01:00

Updated
10 January 2019
10:59 CET+01:00

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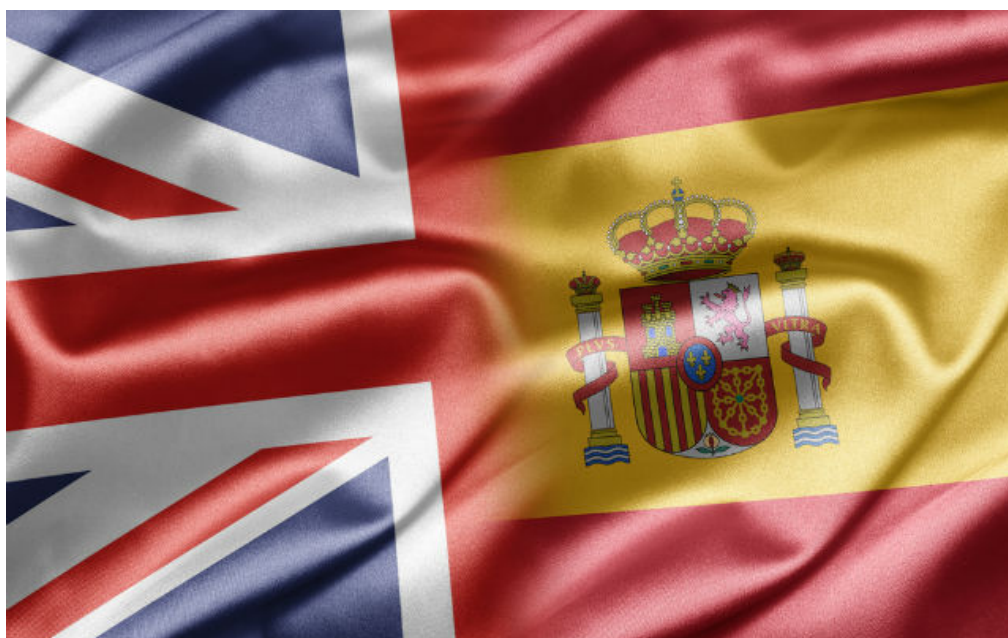


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UK nationals in Spain are concerned about the ongoing campaign for joint citizenship, as well as how Spain will avoid hundreds of thousands of Brits from becoming illegal residents overnight in the case of a no-deal Brexit.

A key hurdle for Brits looking to become Spanish is the Iberian nation's strict rules on dual citizenship. Under current Spanish law, Brits cannot officially obtain Spanish citizenship and retain their British passport.

Only countries that came under the 16th century kingdom of Philip II, and a few groups in other exceptions – [including Sephardic Jews](#) – can hold dual citizenship in Spain.

This prevents nearly 50,000 Brits who live in Spain, pay their taxes and make regular social security contributions from applying for citizenship, states a recent report by citizens' rights group EuroCitizens.

“We encourage the Spanish government to consider facilitating, by means of a special and limited piece of legislation, double citizenship for Brits who can prove they have lived and/or worked in Spain for 10 years,” states a December 2018 report by Madrid-based lobby group for UK nationals in Spain EuroCitizens.

Giles Tremlett, a Guardian journalist who [launched a campaign](#) shortly after the Brexit referendum to encourage Spain to allow Brits to hold both British and Spanish citizenship, is still pushing for that objective.

“Joint nationality would express my cultural reality,” Tremlett, who has been based in Madrid for 25 years, told The Local. The author, who says he is “bilingual and bicultural,” says he has an added incentive in fighting to obtain citizenship for his children.

Tremlett and EuroCitizens’ campaign hopes to help around 50,000 Brits who have been resident in Spain for a long time – the proposed residency duration criteria is either five or ten years – to apply for a Spanish passport.

An author of historical biographies, Tremlett says he hopes the regional governments in Valencia and Andalusia, where there are large communities of settled Brits, can be convinced to discuss the issue.

Tremlett, EuroCitizens and colleagues have already drafted the legal text. All that remains is for a party in one of those regional administrations to endorse it politically.

If that were to happen, the regional administrations could then send the law on to Madrid for review at a national level.

The number of Brits applying for Spanish citizenship has nevertheless more than tripled since 2015. 166 Britons requested Spanish citizenship in the first 10 months of 2018 alone.

Waiting times however can be long. Tremlett says he applied for his Spanish passport just six months ago. Michael Harris from EuroCitizens has been waiting for years.

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More than a quarter of all the registered Brits in the EU27 live in Spain. Unlike Brits in [Germany](#), [France](#) or [Italy](#), who have been given some reassurances, UK nationals in Spain still await news of how their futures in the Iberian country could continue should the United Kingdom crash out of the EU without a deal that would govern their future rights.

Spanish PM Sanchez has said that it will publish contingency plans for a no-deal Brexit in February and urged British nationals not to worry about their futures.

"I want to send a message of calm to Spaniards who live in Britain and also to Britons who live in Spain: their rights will be maintained whatever the scenario," Prime Minister Pedro Sanchez [told](#) a year-end news conference following a weekly cabinet meeting.

Official figures say there are 314,000 Brits in Spain. According to Michael Harris from Madrid-based citizens' rights organisation EuroCitizens, February is too late – such guidelines could have been published earlier, Harris told The Local.

"The British community needs to know sooner rather than later how this change will be made and what documentation Brits will have to provide to be able to continue residing legally," states a December 2018 report by EuroCitizens and British in Europe.

Spain has said that the rights of Brits will be protected but it remains unclear what Brits will have to do to reside in the country after Brexit, which changes their automatic right to be living there.

Governments in Italy, France, Germany, Denmark and the

Netherlands have all now published, or made clear, contingency motions for British nationals living in those countries.

If the UK self-implodes in the coming weeks and exits the EU with no deal that outlines the rights of its citizens living throughout the 27-country political bloc, Brits in Spain will have to hope the Spanish government will be accommodating. EU Commission no-deal contingency guidelines from November 2018 state:

“It has always been the European Union's intention that citizens should not pay the price of Brexit. This will require Member States to take a generous approach to the rights of UK citizens who are already resident in their territory.”

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Harris told the Local in early January 2019 that it is vital that Brits are given time to prepare for any change of residency status, as outlined by Article 17.4 in the Withdrawal Agreement.

Many Brits are also worried what the potential forthcoming Spanish legislation could mean for their lives. “We want to see what they’ll do with us if there’s a no-deal Brexit,” EuroCitizens founder and British in Europe steering committee member Michael Harris told The Local.

The fear of becoming what some have described as “third country nationals overnight” concerns the Spanish contingent of citizen-focused groups.

Debbie Williams, a British resident of northern Valencia and founder of [Brexpats Hear Our Voice](#), says there are key concerns for Brits in the case of a no-deal exit from the bloc.

One is that British citizens who are not employed may not be able to meet the financial criteria required as “economically inactive” people. In other words, unemployed Brits will have to demonstrate an income of €26,500 per year. This will affect pensioners and economically vulnerable groups, says Williams.

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Unsurprisingly, some of the [first and most active voices and groups expressing concerns about the rights of British nationals in Europe vis-a-vis Brexit](#) emerged from Spain.

Three out of ten core founding member groups of pan-European rights group British in Europe are based in Spain: Bremain in Spain, Brexpat in Spain and EuroCitizens. Each group has its own focus.

EuroCitizens is now in touch with the office of Vice President Carmen Calvo Poyato, head of the inter-ministerial committee mandated with managing any eventualities or contingency plans in the case of a no-deal Brexit. In other words, the woman most Brits in Spain right now hope could secure their rights.

A recent EuroCitizens paper looks at the impact a soft and a hard (no-deal) Brexit could have on Brits in Spain, the third largest group of migrants in the country after Moroccans and Romanians. From coast to coast and throughout Spain's islands, the British community in Spain is the largest of any in the EU.

Nearly half of the total number are people of working age and their families, situated in the capital Madrid or major provincial cities. The other half are pensioners living mainly in the coastal areas or islands, according to statistics from Spain's statistics office INE.

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